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15 Attorneys for Defendant SAFEWAY INC.

16
17 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

18 MICHAEL RODMAN, on behalf of himself
19 and all others similarly situated,

20 Plaintiff,

21 v.

22 SAFEWAY INC.,

23 Defendant.

Case No. 3:11-CV-03003 JST (JCS)

**JOINT STIPULATION AND PROPOSED
ORDER CONTINUING HEARING DATE
FOR MOTION TO CERTIFY FOR
IMMEDIATE APPEAL AMENDED
ORDER RE PARTIAL
SUMMARY JUDGMENT**

Current Hearing Date: May 21, 2015

Proposed Hearing Date: June 4, 2015

Time: 2:00 PM

Courtroom: 9 – 19th Floor

The Honorable Jon S. Tigar

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JOINT STIPULATION AND PROPOSED ORDER
CONTINUING HEARING DATE FOR MOTION TO
CERTIFY FOR IMMEDIATE APPEAL AMENDED
ORDER RE PARTIAL SUMMARY JUDGMENT
Case No. C11-03003 JST (JCS)

STIPULATION

Plaintiff, Michael Rodman ("Plaintiff") and Defendant, Safeway Inc. ("Safeway"), hereby stipulate as follows:

1. WHEREAS, the hearing on Safeway's Motion to Certify for Immediate Appeal Amended Order Granting Partial Summary Judgement to Plaintiff ("Motion") is currently scheduled for May 21, 2015 (Dkt. No. 251);

2. WHEREAS, the Motion is now fully briefed (Dkt. Nos. 251, 253, 256);

3. WHEREAS, the Motion was not anticipated and accounted for in connection the current schedule agreed to by the parties at the January 28, 2015 Case Management Conference and the Stipulated Order Amending Case Schedule (Dkt. No. 246) dated March 24, 2015;

4. WHEREAS, counsel for Plaintiff has pre-existing professional and personal obligations necessitating a modest continuance of the May 21, 2015 hearing date;

5. WHEREAS, counsel for Plaintiff and Safeway have met and conferred regarding a continued hearing date and have agreed to a new hearing date of June 4, 2015;

NOW, THEREFORE, subject to the Court's approval, IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned that:

1. The hearing on the Motion currently scheduled for May 21, 2015 is continued to **June 4, 2015.**

IT IS SO STIPULATED.

Dated: May 6, 2015

SHEPHERD, FINKELMAN, MILLER & SHAH LLP

/s/ James C. Shah

JAMES C. SHAH

Attorneys for Plaintiff MICHAEL RODMAN

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JOINT STIPULATION AND PROPOSED ORDER
CONTINUING HEARING DATE FOR MOTION TO
CERTIFY FOR IMMEDIATE APPEAL AMENDED
ORDER RE PARTIAL SUMMARY JUDGMENT
Case No. C11-03003 JST (JCS)

1 Dated: May 6, 2015

SHEPPARD MULLIN RICHTER & HAMPTON LLP

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3 */s/ P. Craig Cardon*

4 P. CRAIG CARDON
5 BRIAN R. BLACKMAN
6 Attorneys for Defendant
7 SAFEWAY INC.
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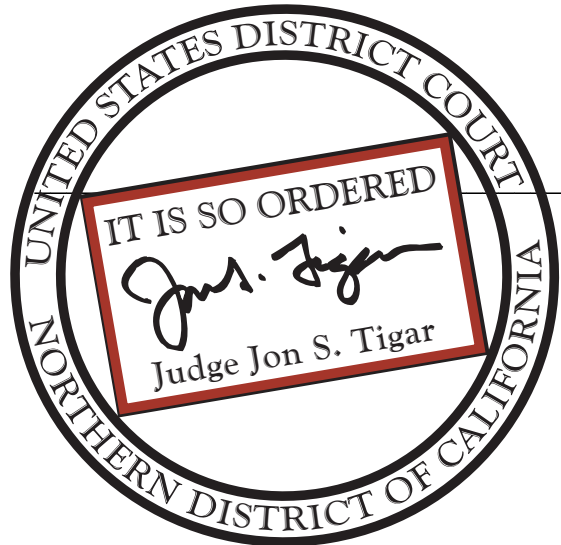
28 JOINT STIPULATION AND PROPOSED ORDER
CONTINUING HEARING DATE FOR MOTION TO
CERTIFY FOR IMMEDIATE APPEAL AMENDED
ORDER RE PARTIAL SUMMARY JUDGMENT
Case No. C11-03003 JST (JCS)

PROPOSED ORDER

Good cause appearing therefore, PURSUANT TO THE FOREGOING STIPULATION,

IT IS SO ORDERED.

Date: May 7, 2015



CERTIFICATION

I, James C. Shah, am the ECF User whose identification and password are being used to file the foregoing document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that all other signatories have concurred in this filing.

Dated: May 6, 2015

SHEPHERD, FINKELMAN, MILLER & SHAH LLP

By /s/ James C. Shah
JAMES C. SHAH
Attorneys for Plaintiff MICHAEL RODMAN